

BEFORE THE OFFICE OF CAMPAIGN FINANCE
DISTRICT OF COLUMBIA BOARD OF ELECTIONS AND ETHICS
FRANK D. REEVES MUNICIPAL BUILDING
2000 14TH STREET, N.W., SUITE 420
WASHINGTON, D.C. 20009
(202) 671-0550

IN THE MATTER OF)	
)	DATE: September 25, 2003
Leon Jackson)	
Chief Information Officer (Former))	DOCKET NO.: 03F-056
Office of the Chief Technology Officer)	
5106 BeBe Court)	
Centreville, Virginia 20121)	

ORDER

Statement of the Case

This matter came before the Office of Campaign Finance (hereinafter OCF) Office of General Counsel following a determination by its Public Information Records Management Division, that pursuant to the D.C. Official Code §1-1106.02 (2001 Edition), Leon Jackson, Chief Information Officer, Office of the Chief Technology Officer, failed to timely file, a Financial Disclosure Statement for calendar year 2002, on or before May 15, 2003 as required by D.C. Official Code §1-1106.02 and also failed to file on or before the OCF sanctioned extended filing date of June 19, 2003.

By Notice of Hearing, Statement of Violations and Order of Appearance dated August 7, 2003, OCF ordered Leon Jackson (hereinafter respondent), to appear at a scheduled hearing on August 18, 2003 and show cause why he should not be found in violation of the D.C. Campaign Finance Reform and Conflict of Interest Act of 1974, as amended by D.C. Official Code §§1-1101.01 et seq., and fined accordingly.

Summary of Evidence

OCF alleges that respondent failed to timely file the statutorily required Financial Disclosure Statement for calendar year 2002, on or before June 19, 2003.

On August 22, 2003, the respondent filed a written statement with OCF stating that his failure to file the required FDS was a gross oversight, and that he was on vacation from August 6 – 17, 2003, during which time a hearing notice was delivered to his home. Respondent further stated that after reviewing his accumulated mail on or around the evening of August 18, 2003, he became aware that he was required to appear for a hearing scheduled earlier in the day. Respondent contacted OCF to provide a brief explanation for not appearing, and to request assistance in resolving the matter.

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Respondent stated that he has filed the required FDS reports over the past five years, and that he understands the importance of the requirement, as he helped lead the implementation of OCF's current computer tracking system. Respondent filed the required FDS on August 22, 2003.

Findings of Fact

Having reviewed the allegations and the record herein, I find:

1. Respondent was a delinquent filer in calendar year 2001.
2. Respondent was required to file a Financial Disclosure Statement for calendar year 2002, on or before June 19, 2003, in accordance with D.C. Official Code §1-1106.02.
3. Respondent asserts that he was on vacation when the Notice of Hearing, Statement of Violations and Order of Appearance scheduled for August 18, 2003 was delivered to his residence.
4. Respondent filed the required FDS on August 22, 2003.
5. Respondent did not provide an adequate explanation for the filing delinquency in that respondent is not a novice to the filing requirement and OCF records reflect his delinquency in the previous filing cycle.
7. Respondent is currently in compliance with the statute.

Conclusions of Law

Based upon the record provided by OCF, I therefore conclude:

1. Respondent violated D.C. Official Code §1-1106.02.
2. The penalty established at D.C. Official Code §1-1103.05(b)(3), and 3DCMR §§3711.2(aa), 3711.2 and 3711.4 for failure to timely file a Financial Disclosure Statement required by D.C. Official Code §1-1106.02, is a fine of \$50.00 per day for each business day subsequent to the due date.
3. In accordance with D.C. Official Code §1-1103.05(b)(3), the respondent may be fined a maximum of \$2,000.00 for failing to timely file a Financial Disclosure Statement.

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4. For good cause shown pursuant to 3DCMR §3711.6, the Director of Campaign Finance (Director) may modify, rescind, dismiss or suspend any fine.
5. Respondent's explanation for failing to timely file does not constitute good cause for suspension of the entire fine.

Recommendation

In view of the foregoing and information included in the record, I hereby recommend that the Director impose a fine of \$500.00 in this matter.

Date

Jean Scott Diggs
Hearing Officer

Concurrence

In view of the foregoing, I hereby concur with the Recommendation.

Date

Kathy S. Williams
General Counsel

ORDER OF THE DIRECTOR

IT IS ORDERED that a fine of \$500.00 be hereby imposed in this matter.

Date

Cecily E. Collier-Montgomery
Director

SERVICE OF ORDER

This is to certify that I have served a true copy of the foregoing order.

Rose Rice
Legal Assistant

NOTICE

Pursuant to 3DCMR §3711.5 (1999), any fine imposed by the Director shall become effective on the 16th day following the issuance of a decision and order, if the respondent does not request an appeal of this matter. If applicable, within 10 days from the effective date of this order, please make a check or money order payable to the D.C. Treasurer, c/o Office of Campaign Finance, Suite 420, 2000-14th Street, N.W., Washington, D.C. 20009.